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January 31, 2023

VIA ECF

Hon. Paul G. Gardephe
US District Court Judge
Southern District of New York
40 Centre Street
New York, New York 10007-1312

Re: USA v. James Zhong, 22 Cr. 606-001 (PGG)

Dear Judge Gardephe:

I am writing with the consent of the Government to respectfully request that Mr. Zhong's sentencing scheduled for March 2, 2023 be adjourned. This is the defendant's first adjournment request. Several days ago, plea negotiations failed in a multi-defendant case in Central Islip before the Hon. Joan M. Azrak (*United States v. Barakat, et. al.* 18 Cr. 00292) which is now starting March 20, 2023. The trial is anticipated to last 4-6 weeks with Friday as an off day. I will be receiving voluminous 3500 material on February 6. In addition, Mr. Zhong just received the final PSR yesterday. Counsel needs time to edit the defendant's sentencing submission to the Court which presently is due tomorrow. Finally, one of Georgia counsel will be out of the country March 2-9.

Accordingly, the parties suggest March 13-16 for sentencing, with one caveat. Georgia counsel is scheduled for trial that week but expects the matter to be resolved by February 10, at which time we will inform your Honor. Given my trial schedule, counsel is also available Friday, April 14.

We also request additional time to submit our sentencing memorandum.

I apologize to your Honor for any inconvenience this request may cause and thank you for your courtesy in this matter.

BACHNER & ASSOCIATES, P.C.

Respectfully,

/s/ *Michael Bachner*

Michael F. Bachner

SO ORDERED:

U.S. District Judge

Cc: Government counsel (via ECF and email)
Pre-trial Services (via email)